

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Examiner Eleni Mantis Mercader

John Schellenberg

Art Unit 3737

Serial No. 08/756,257

Filed: November 25, 1996

Docket No.: PII 3248

For: Tool Position Indicator

Picker International, Inc.
595 Miner Road
Cleveland, Ohio 44143
January 19, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Preliminary Amendment

Dear Sir:

This Preliminary Amendment is filed concurrently with the filing of a request for a continuing prosecution application under 37 C.F.R. 1.53(d) in the above-captioned matter. Examination of the application as amended is respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail" Mailing Label Number EE789478575US in an envelope addressed to: Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231 on this 19th day of January, 1999.

By:


Patricia R. Tschantz

Other


Picker International, Inc. check no. 81773237 in the amount of \$²³⁴~~324~~.00 to cover 33 total claims and 8 independent claims was sent with the Request for Reconsideration mailed December 16, 1998. The claims added therein were not entered, and the check was not returned. It is requested that the previous payment be credited to deposit account 16-1680.

Conclusion

The indication that claims 3, 24, 27, and 30 are directed to patentable subject matter is appreciated. As suggested by the Examiner, these claims have been placed in independent form. It is believed that these claims are now in condition for allowance.

As more fully set forth above, it is believed that claims 1, 2, 4-16, 17, 19-23, 25, 26, 28, 29, 31, and 33-35 distinguish patentably and unobviously over the prior art of record. An indication of allowability directed to these claims is earnestly solicited.

Respectfully submitted,


John J. Fry
Reg. No. 35,873

Picker International, Inc.
595 Miner Road
Cleveland, OH 44143

440 473-3455